

Message Text

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ORIGIN EB-08

INFO OCT-01 EA-12 ISO-00 OES-07 CG-00 IO-14 DOTE-00
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APPROVED BY EB/TRA/MA:RKBANK
OES/OFA/OA:JEBROWN, JR.
USCG:WBENKERT
IO/TRC:WDIAMANTI
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FM SECSTATE WASHDC
TO AMEMBASSY TOKYO

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TAGS: EWWT, SENV, US

SUBJECT:STATUS OF US DRAFT TANKER SAFETY BILLS

REF: TOKYO 03158

1. THE PRESENT STATUS OF THE FOLLOWING DRAFT BILLS IS AS
FOLLOWS:

A. TANKER SAFETY BILL (S.682) SPONSORED BY SENATOR
MAGNUSON. THIS BILL, PASSED BY THE SENATE ON MAY 26, 1977,
WAS REFERRED JOINTLY TO THE HOUSE MERCHANT MARINE AND
INTERNATIONAL RELATIONS COMMITTEES. ALTHOUGH SUBCOMMITTEE
HEARINGS HAVE BEEN HELD, THERE HAS BEEN NO FURTHER ACTION
TO DATE.

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(1) EARLIER LAST YEAR THE ADMINISTRATION HAD RECOMMENDED
SUBSTANTIAL CHANGES TO S.682 TO MAKE THE BILL COMPATIBLE
WITH THE U.S. INITIATIVE ON TANKER SAFETY AND POLLUTION
PREVENTION (TSPP) OUTLINED IN PRESIDENT CARTER'S MARCH 17,
1977 MESSAGE TO CONGRESS. AN INTEGRAL ASPECT OF THE
ADMINISTRATION'S INITIATIVE WAS A COMMITMENT TO FIRST SEEK
IN GOOD FAITH SATISFACTORY INTERNATIONAL MEASURES TO

COMBAT MARINE OIL POLLUTION BEFORE TAKING RECOURSE TO
UNILATERAL STANDARDS. ANOTHER IMPORTANT ASPECT OF THE U.S.

INITIATIVE WAS ITS SPECIFIC ALLOWANCE FOR ALTERNATIVE
MEASURES THAT COULD BE SHOWN TO PROVIDE ENVIRONMENTAL
PROTECTION EQUIVALENT TO THOSE OUTLINED IN THE PRESIDENT'S
MESSAGE.

(2) ACCORDINGLY, THE CONGRESSIONAL SUPPORTERS OF S.682
HAVE BEEN AWAITING THE OUTCOME OF THE RECENTLY-CONCLUDED
INTERNATIONAL TSPF CONFERENCE, HELD IN LONDON UNDER THE
AEGIS OF THE INTERGOVERNMENTAL MARITIME CONSULTATIVE
ORGANIZATION, (IMCO). THE U.S. DELEGATION TO THAT CON-
FERENCE JOINED IN THE ESTABLISHMENT OF COMPROMISE POSI-
TIONS ON SEVERAL IMPORTANT POINTS, NOTABLY ACCEPTANCE
OF CRUDE OIL WASHING (COW) SYSTEMS AS AN EQUIVALENT TO
SEGREGATED BALLAST TANKS (SBT) FOR EXISTING TANKERS AND
A HIGHER MINIMUM TONNAGE FIGURE--40,000 DWT. VS. 20,000
DWT.--AT WHICH SUCH VESSELS WOULD BE REQUIRED TO BE
RETROFITTED WITH EITHER SBT OR COW, WITH DEDICATED CLEAN
BALLAST TANKS (DCBT OR CBT) BEING APPROVED AS AN INTERIM
MEASURE. THE U.S. DELEGATION WAS SUCCESSFUL IN WINNING
ACCEPTANCE OF VIRTUALLY ALL OTHER U.S. PROPOSALS. WE
EXPECT THAT S.682 WILL BE RE-EXAMINED IN LIGHT OF THESE
RESULTS, AND THE ADMINISTRATION IS CURRENTLY HOPEFUL THAT
REVISIONS WILL BE IN ACCORDANCE WITH THE OUTCOME OF THE
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LONDON CONFERENCE.

B. THE ENERGY TRANSPORTATION SECURITY BILL (S.61),
SPONSORED BY SENATOR HOLLINGS, IS THE IDENTICAL SENATE
COUNTERPART TO H.R.1037, THE "OIL CARGO PREFERENCE" BILL
WHICH WAS DEFEATED IN THE HOUSE BY A VOTE OF 257 TO 165
ON OCTOBER 19, 1977. S.61 CAN BE REASONABLY SAID TO BE
DEAD, ALTHOUGH IT IS FORMALLY STILL PENDING IN THE SENATE
COMMERCE COMMITTEE. THE DEFEATED HOUSE MEASURE WOULD HAVE
REQUIRED THAT FOUR AND ONE-HALF PERCENT (TO BE INCREASED
TO NINE AND ONE-HALF PERCENT OVER A FIVE YEAR PERIOD)
OF US OIL IMPORTS BE CARRIED IN AMERICAN-BUILT, -MANNED,
AND -REGISTERED BOTTOMS.

C. THE FEDERAL TANKER SAFETY AND MARINE ANTI-POLLUTION
ACT (S.182) SPONSORED BY SENATOR KENNEDY. THIS BILL,
ESTABLISHING COMPREHENSIVE LIABILITY AND COMPENSATION
FOR OIL SPILL DAMAGES, WAS REFERRED TO BOTH THE SENATE
COMMERCE AND PUBLIC WORKS COMMITTEES. ALTHOUGH THE
FORMER CONDUCTED HEARINGS IN JUNE, NO FURTHER ACTION ON
THE BILL HAS BEEN TAKEN BY EITHER COMMITTEE TO DATE. CHRISTOPHER

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